

REMARKS

Claims 1-18 and 36-37 have been previously canceled. Claims 19 and 27 are currently amended and no claims have been added or canceled by way of this response. Thus, claims 19-35 and 38-39 are currently pending and presented for examination. Applicant respectfully requests reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

Response to Rejections Under Section 112:

The Examiner has rejected claims 20 and 27 under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim subject matter which applicants regards as the invention.

Applicants have amended claims 20 and 27 to resolve any indefiniteness issue and Applicants respectfully request withdrawal of the 112, second paragraph rejections.

Response to Rejections Under Section 103:

The Examiner has rejected claims 19-35 and 38-39 under 35 U.S.C § 103(a) as being obvious over Boucard et al. (WO/03/006710) as the primary reference in combination with one or more in view of: DE 41 11 174 (DE '174), Takeuchi et al. (6,024,861) and Lashmore et al (5,158,653).

Applicants submit that the Boucard reference is not prior art because Applicants claim of priority to German application No. 10259361.2 with a filing date of December 18, 2002 pre-dates the Boucard et al. publication date of January 23, 2002. Applicants have requested a certified copy of the priority document to perfect the claim of priority. Applicants will immediately provide the certified copy of the priority document once it is available. Furthermore, Applicants submit that none of the prior art alone or in combination teaches or suggests any of the claimed subject matter and removal of the art rejections is required.

Conclusion

Based on the above amendments and the foregoing remarks, the claims satisfy all requirements under Section 112 and define patentable subject matter. Accordingly, allowance of the application is requested. No additional fees are required. Nonetheless, the Commissioner is hereby authorized to charge any appropriate fees due in connection with this paper or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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